

Exhibit K

Unofficial Version

Man 410 New York Branch
2.3.2 Non-Exempt Employees

Edit Details

Keywords:
 Responsible for contents: 022-40000
 Version: 2

✦ Next Version

Published: 11/09/2005
 Archived: 12/04/2007

NON-EXEMPT EMPLOYEES

It is WestLB's intent and practice to comply with all federal and state laws and regulations, and to ensure the correct payment of wages for non-exempt employees.

Non-exempt employees who work over the standard workweek are eligible for pre-approved overtime for any additional hours worked as described below. Exempt employees are paid a base salary for all hours worked in performance of their jobs, and are generally not eligible for compensatory time or overtime for time worked in excess of the standard workweek.

- WestLB Will Pay Its Non-Exempt Employees for all Hours Worked on the Following Basis:
 - o All hours worked up to forty (40) hours are paid at straight time;
 - o Time worked over forty (40) hours per week is paid at time and a half for overtime worked on weekdays;
 - o Overtime hours in excess of forty (40) hours per week that is performed on Saturdays is paid at time and a half;
 - o Overtime work in excess of forty (40) hours per week that is performed on Sundays is paid at double time;
 - o Non-exempt employees will be paid double time for any hours worked during a WestLB-observed holiday, in addition to 7 hours of regular pay;
 - o Non-exempt employees are not permitted to take compensatory time in lieu of wages. They must be paid for time worked;
 - o Non-exempt employees may make up time they are absent from the job, if that time is made up within the work-week. Working extra time before or after the standard workday hours may make up time. Working through a lunch period is not permitted for make-up time.
- Meals and Break Times
 - o Non-exempt employees who work six (6) hours are entitled to a 30-minute unpaid meal period.
 - o Non-exempt employees continuing later than seven o'clock in the evening shall be allowed an additional meal period of at least twenty minutes. Periods of 20-minutes or less are paid, but periods over 20-minutes are unpaid.
 - o Other "breaks", such as for "rest periods" or "coffee breaks", are not required.
- Time Worked
 - o Time worked includes all time that an employee is required to be physically at work for the company.
 - o A non-exempt employee shall not be permitted to perform work away from the premise, job site

Unofficial Version

- or at home, unless approved in advance in writing by his/her Manager and Department Head. If approved, work performed off the premises, job site or at home will be counted as time worked.
- o Travel time away from the employee's home is considered time worked if it coincides with regular normal work hours, even if it occurs on non-working days. If the employee is required to use his/her own vehicle, then all travel time, regardless of when it occurs, will be counted as hours worked.
 - o Employees who have gone home after a day's work and get called back will start counting as time worked from the time they leave their home.
- Time Not Worked
 - o Approved paid absences, including but not limited to sick leave, vacation leave, holidays, FMLA, military leave, jury and witness duty, funeral/bereavement leave, and voting time off does not count towards hours worked for the purposes of calculating overtime eligibility for non-exempt employees.
 - o Uninterrupted time off for lunch or dinner is not counted as time worked.
 - o Travel time outside of normal working hours on any day, unless the employee is required to use his/her own vehicle, is not counted as time worked.
 - o Normal commuting travel from his or her home, whether to a fixed location or a different job site, is not counted as time worked.

Time-keeping Requirements

- Non-exempt employees must accurately record the time they begin and end their work. Employees must also record their departure from work during any scheduled work period.
- It is the employee's responsibility to sign their time record to certify the accuracy of all time recorded.
- A work hour is considered any hour of the day that is worked and authorized to be worked, and should be recorded to the nearest quarter of the hour.
- Any and all instance of falsification of timekeeping records is considered a serious offense, and will result in disciplinary action up to and including termination of employment.

Certain states and cities have enacted legislation regarding employment of non-exempt staff that may override this policy. In these cases, the local policy is controlling.

Workflow History

Created on 11/18/2005 04:14:38 AM by Automatic Import
12/4/2007 3:15:30 PM Sharan Dulay - Archived